

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MONSANTO COMPANY and)
MONSANTO TECHNOLOGY LLC,)
)
Plaintiffs,)
)
vs.)
)
E.I. DUPONT DE NEMOURS AND) Case No. 4:09-cv-00686-ERW
COMPANY and PIONEER HI-BRED)
INTERNATIONAL, INC.,)
)
Defendants.)

PLAINTIFFS' MOTION FOR SANCTIONS

Plaintiffs Monsanto Company and Monsanto Technology LLC (collectively “Monsanto”), pursuant to this Court’s inherent powers, hereby move this Court for an order sanctioning Defendants, E.I. du Pont de Nemours and Company (“DuPont”) and Pioneer Hi-Bred International, Inc. (“Pioneer”) (collectively “Defendants”) for their numerous misrepresentations to the Court. Monsanto hereby incorporates its Memorandum in Support as if fully stated herein.

WHEREFORE, Monsanto respectfully requests that this Court GRANT Monsanto’s motion for sanctions and enter an order striking Defendants’ pleadings on the breach of contract claims and counterclaims, entering the proposed findings of fact set forth in Monsanto’s accompanying Memorandum in Support, awarding Monsanto its reasonable attorneys’ fees, and permitting Monsanto to re-open the depositions of certain defense witnesses.

Dated: September 6, 2011

Respectfully submitted,

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By: /s/ Joseph P. Conran.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of September, 2011, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Eastern District of Missouri, Eastern Division, via the Court's ECF System, and was served by operation of that Court's electronic filing system, upon the following:

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